

Applicants: Nicole Suciu-Foca, et al.
Serial No.: 10/018,677
Filed: May 15, 2002
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REMARKS

In response, applicants hereby elect Group XVI, claims 34-36 and 38, with traverse for prosecution at this time.

Applicants, however, respectfully request that the Examiner reconsider and withdraw the restriction requirement.

Under M.P.E.P. §803, the Examiner must examine the application on the merits if examination can be made without serious burden, even if the application would include claims to distinct or independent inventions. That is, there are two criteria for a proper requirement for restriction: (1) the invention must be independent and distinct, and (2) there must be a serious burden on the Examiner if restriction were not required.

Applicants respectfully submit that there would not be a serious burden on the Examiner if restriction were not required, because a search of the prior art relevant to the claims of Group XVI would provide the relevant prior art for Groups I-XV and XVII-XXV. Since there is no burden on the Examiner to examine groups I-XXV together in the same application, the Examiner must examine the entire application on the merits.

In view of the foregoing, applicants maintain that restriction is not proper under 35 U.S.C. §121, and respectfully request that the Examiner reconsider and withdraw the requirement for restriction. No fee, other than the \$225.00 fee for the two-month extension of time, is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required,

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authorization is hereby given to charge the amount of such fee to
Deposit Account No. 03-3125.

If a telephone interview would be of assistance in advancing the
prosecution of the subject application, applicants' undersigned
attorneys invite the Examiner to telephone them at the number
provided below.

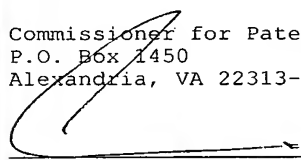
Respectfully submitted,



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